

STATE OF TEXAS §
COUNTIES OF POTTER §
AND RANDALL §
CITY OF AMARILLO §

On the 8th day of August 2011, the Amarillo Planning and Zoning Commission met in a work session in Room 206, second floor of City Hall, at 2:45 PM to review agenda items, then convened in regular session at 3:00 PM in the Commission Chambers on the third floor of City Hall, 509 East 7th Avenue, Amarillo, Texas, with the following members present:

| VOTING MEMBERS | PRESENT | NO. MEETINGS HELD | NO. MEETINGS ATTENDED |
|-----------------------------|---------|-------------------|-----------------------|
| David Craig | N | 2 | 0 |
| Dean Bedwell | Y | 69 | 63 |
| Judy Day | Y | 72 | 61 |
| Casey Webb | Y | 2 | 2 |
| John Notestine | N | 118 | 105 |
| Louise Ross | N | 118 | 110 |
| Howard Smith, Vice Chairman | Y | 107 | 94 |

PLANNING DEPARTMENT STAFF:
Kelley Shaw, Planning Director
Jan Sanders, Admin Tech

Vice Chairman Smith opened the meeting, established a quorum and conducted the consideration of the following items in the order presented. Kelley Shaw, Planning Director read the staff reports and gave the recommendations for each item.

ITEM 1: Approval of the minutes of the July 25, 2011 meeting

A motion to approve the minutes of the July 25, 2011 meeting was made by Commissioner Bedwell, seconded by Commissioner Day, and carried unanimously.

ITEM 2: Nomination and election of a new Chairman and Vice Chairman.

Howard Smith was nominated as the new Chairman by Commissioner Bedwell and the motion carried 3:0. Dean Bedwell was nominated as the new Vice Chairman by Commissioner Day and the motion carried 3:0.

ITEM 3: Z-11-21 Rezoning of Lot 1, Block 1, Wolflin Place Amended and a 0.37 acre tract of unplatted land north of Lot 1, Block 1, Wolflin Place Amended in Section 186, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 to Neighborhood Service District. (Vicinity: Wolflin Ave. & Washington St.)
APPLICANT: Gabe Irving

Mr. Shaw stated that the zoning request incorporates 3 residential lots to the south, but would still be adjacent to non-residential development to the west. He went on to describe development standards that would apply to any development allowed by the zoning change that would help mitigate potential negative impacts. Such standards include a screening fence, building setbacks, and landscaping. Mr. Shaw stated staff recommended approval of the item as presented.

Chairman Smith asked if anyone present wished to speak against the rezoning request. Adrienne Parlow, 2038 S Washington, adjacent property owner to the south of this application, voiced concerns for safety for her family and also decreasing the value of her property.

Chairman Smith asked if anyone present wished to speak in favor of the rezoning request. Gabe Irving, 2403 Bowie, applicant, stated the intent is to expand the accessibility and parking for the convenience store, as the current area is congested. Mr. Irving also mentioned expanding the retail area would provide additional lighting to increase security in the neighborhood. Commissioner Day asked if the applicant would re-visit with the property owners concerning

lighting and fencing issues, and Mr. Irving responded yes. Mr. Irving mentioned he would also consider a 10' fence, additional trees and shrubbery along the south side for noise reduction. Commissioner Webb asked for projections of increased foot traffic along Washington Street. Mr. Irving foresees increased traffic in general, with the additional services provided, but not necessarily foot traffic. Commissioner Bedwell asked for an explanation of additional services being offered. Mr. Irving stated expanding the services currently offered, relocation of the fuel from Washington Street to the side of the building, and possibly adding a car wash. Mr. Shaw advised the Commissioners the request for a straight rezoning to Neighborhood Service District does not allow for a lube shop, or car wash within the property to be rezoned.

Chairman Smith asked for any rebuttals against the rezoning request. Mrs. Parlow voiced further concerns of moving the fuel stations closer to her home thus increasing the fumes for her family. Mrs. Parlow also mentioned her disappointment that representatives from Toot 'n Totum did not contact her for comments or concerns.

A motion to table Z-11-21 until the next Planning & Zoning meeting, in order to give the applicant time to visit with the adjacent property owner and possibly work out any differences, was made by Commissioner Bedwell, seconded by Commissioner Day and carried unanimously.

ITEM 4: Z-11-22 Rezoning of Lot 14, Block 12, Bivins Estates, in Section 187, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys and public ways to change from Planned Development District 232 to amended planned development for office development.(Vicinity: Georgia St. & Julian Blvd.)
APPLICANT: Peggy Warren

Mr. Shaw informed the Commission this request is to change the zoning to allow different development standards that were approved in 1995 with the original planned development. Mr. Shaw further stated this request will only amend the fencing requirements, landscaping requirements and include a 1' x 10' non-illuminated wall sign on the south side of the building. Mr. Shaw stated all other development standards associated with the original planned development would still be enforced and that staff recommended approval of the item as presented.

Chairman Smith asked if anyone present wished to speak in favor of the rezoning request. Peggy Warren, applicant, stated the reason for requesting elimination of the fencing requirement is to improve her safety and the safety of her clients as there were problems with transients loitering behind the required wooden fence.

Kenneth Tolks, 1804 N. Julian Blvd., Don & Kathryn Langford, 1200 Bowie St., Tom Mechler, 12940 S FM 1258, and Tom Roller, 2101 S Coulter St., all spoke in favor of the request. Comments included a wooden fence prevents visibility and creates public safety issues, the overall lot appearance has improved without the fence, and this type of business works well in the neighborhood.

Chairman Smith asked if anyone present wished to speak against the rezoning request. Don Babcock, 2405 Julian Blvd., Genie Pendergrass, 2505 Julian Blvd., Norman & Genie Friddell, 2404 Julian Blvd., and Kathy Nunn, 2200 Julian Blvd., voiced their concerns. Comments included requesting a wooden fence to separate commercial and residential property, felt visibility of a business can hurt the residential property values, requested the original planned development continue as approved, and residents also have the transient problems around their homes. A petition from residences on Julian Blvd. was presented to the Commissioners. Commissioner Bedwell asked if the residents would be content with a wrought iron fence covered with foliage. Residents responded no, due to plants dying or losing their leaves during the winter months.

Chairman Smith asked for any rebuttals in favor of the rezoning request. Mrs. Warren stated adding shrubbery will only contribute to trash and debris cluttering her yard. Mrs. Langford asked Mr. Shaw to list any residents who had changed their mind after signing the petition. Mr. Shaw stated Mr. Stroope, 2502 Julian Blvd., has changed his position after clarifying the zoning request. Sondra Kennon, 2100 Julian Blvd., commented that residents who signed the petition may have been confused with the rezoning issue. Stanley Warren, applicant's husband, voiced concerns for his wife's safety, mentioning the parking lot is only an extended driveway and not a visual problem, and removing the wooden fence had eliminated sight restrictions when leaving the business.

Chairman Smith asked for any rebuttals against the rezoning request. Mr. Babcock petitioned the Commissioners to deny the zoning request.

Chairman Smith asked if there were any questions from the Commissioners. Commissioner Webb asked for clarification of approving this zoning request. Mr. Shaw stated voting to approve this zoning amendment, Mrs. Warren would not be required to reconstruct the fence, allow the

landscaping to remain as is, and retain a 1' x 10' non-illuminated sign. Commissioner Day asked the residents if a compromise could be reached. Mrs. Pendergrass stated the sign and landscaping items could remain as is, but wants the wooden fence replaced.

Chairman Smith made a motion to approve Z-11-22 as presented, no second was heard and the motion died.

A motion to table Z-11-22 until the next Planning & Zoning meeting to allow for all Commissioners to be in attendance was made by Commissioner Bedwell, seconded by Commissioner Day and passed 3:1, with Chairman Smith voting against.

ITEM 5: P-11-47 The Colonies Unit No. 49, an addition to the City of Amarillo being an unplatted tract of land in Section 40, Block 9, BS&F Survey, Randall County, Texas. (2.19 acres) (Vicinity: Coulter St. & Continental Pkwy.)
DEVELOPER: Gregg Morgan
SURVEYOR: H.O. Hartfield

Chairman Smith stated that the plat was signed by the Acting Director of Community Services on August 8, 2011.

ITEM 6: P-11-48 South Park Addition Unit No. 42, an addition to the City of Amarillo, being an unplatted tract of land in Section 30, Block 9, BS&F Survey, Randall County, Texas. (0.74 acres) (Vicinity: Bell St. & Hillside Rd.)
DEVELOPER: Scott Camarata
SURVEYOR: David Miller

Mr. Shaw stated the plat was not ready and could be resubmitted at a later date at no charge. A motion to deny P-11-48 was made by Commissioner Day, seconded by Commissioner Bedwell and carried unanimously.

CARRY OVERS:

ITEM 7: P-11-44 Amarillo Medical Center Unit No. 21, an addition to the City of Amarillo, being a replat of Amarillo Medical Center Unit No. 19, in Section 26, Block 9, BS&F Survey, Potter County, Texas. (2.00 acres) (Vicinity: Hagy Blvd. & Wallace Blvd.)
DEVELOPER: Michael Callahan
SURVEYOR: Wendell Stoner

Chairman Smith stated that the plat was signed by the Acting Director of Community Services on August 3, 2011.

ITEM 8: P-11-45 Tascosa Estates Unit No. 11.

No action was required on this plat.

PENDING ITEMS:

ITEMS 9-22: P-08-10 The Woodlands of Amarillo Unit No. 14, P-08-69 Redstone Addition Unit No. 1, P-10-19 Dixon Acres Unit No. 5, P-10-21 Coulter Acres Unit No. 12, P-10-25 Medical Institute Subdivision Unit No. 9, P-10-26 Mariposa ecoVillage Unit No. 2, P-10-27 Amarillo Medical Center Unit No. 18, P-10-40 Freeman Subdivision Unit No. 4, P-10-47 Grand Avenue Estates Unit No. 5, P-10-48 Famous Heights Addition Unit No. 41, P-10-57 North River Road Gardens Unit No. 3, P-10-60 Alta Vista Estates Unit No. 2, P-11-18 City View Estates Unit No. 9, P-11-19 City View Estates Unit No. 10.

No action was required on these plats.

ITEM 23: P-11-21 Morningside Subdivision Unit No. 2, an addition to the City of Amarillo, being a replat of Lots 1 thru 7 and Lots 15 thru 17, Block 15, Morningside Subdivision, in Section 156, Block 2, AB&M Survey, Potter County, Texas. (1.72 acres) (Vicinity: Amarillo Blvd. & Mirror St.)
DEVELOPER: Greg Mitchell
SURVEYOR: Richard Johnson

A motion to approve P-11-21 was made by Commissioner Day, seconded by Commissioner Bedwell and carried unanimously.

ITEMS 24-30: P-11-31 Sundown Acres Unit No. 6, P-11-32 Hillside Terrace Estates Unit No. 14, P-11-34 Plemons Addition Unit No. 14, P-11-36 Rolling Hills Unit No. 6, P-11-39 Coulter Acres Unit No. 15, P-11-41 The Greenways at Hillside Unit No. 26, P-11-42 La Paloma Estates Unit No. 9.

No action was required on these plats.

ITEM 31: P-11-46 Original Town of Amarillo Unit No. 11, an addition to the City of Amarillo, being a replat of Lots 13 thru 24, Block 38, Original Town of Amarillo, in Section 188, Block 2, AB&M Survey, Potter County, Texas. (0.79 acres) (Vicinity: Bohnam St. & SW 5th Ave.)
DEVELOPERS: Chris Culp & Matt Brewton
SURVEYOR: Heather Lemons

Chairman Smith stated that the plat was signed by the Acting Director of Community Services on August 3, 2011.

ITEM 32: Public Forum: Time is reserved for any citizen to comment on City zoning or planning concerns; however, the Commission can take no action on any issue raised.

No one spoke. The meeting was adjourned at 4:50 PM.

Kelley Shaw, Secretary
Planning & Zoning Commission